

SB 6117-S2.E - DIGEST

(DIGEST AS ENACTED)

Declares that, since the 1992 enactment of the reclaimed water act, the value of reclaimed water as a new source of supply has received increasing recognition across the state and across the nation. New information on the matters in this act has increased awareness of the need to better manage, protect, and conserve water resources and to use reclaimed water in that process.

Declares an intent to: (1) Effectuate and reinvigorate the original intent behind the reclaimed water act to expand the use of reclaimed water for nonpotable uses throughout the state;

(2) Restate and emphasize the use of reclaimed water as a matter of water resource management policy;

(3) Address current barriers to the use of reclaimed water, where changes in state law will resolve such issues;

(4) Develop information from the state agencies responsible for promoting the use of reclaimed water and address regulatory, financial, planning, and other barriers to the expanded use of reclaimed water, relying on state agency expertise and experience with reclaimed water;

(5) Facilitate achieving state, regional, and local objectives through use of reclaimed water for water supply purposes in high priority areas of the state, and in regional and local watershed and water planning;

(6) Provide planning tools to local governments to incorporate reclaimed water and related water conservation into land use plans, consistent with water planning;

(7) Expand the scope of work of the advisory committee established under chapter 279, Laws of 2006 to identify other reclaimed water issues that should be addressed; and

(8) Provide initial funding, and evaluate options for providing additional direct state funding, for reclaimed water projects.

Provides that, beginning with the December 1, 2007, report, and then every two years thereafter, the director shall include in each report the extent to which reclaimed water has been identified in the watershed plans as potential sources or strategies to meet future water needs, and provisions in any watershed implementation plans that discuss barriers to implementation of the water reuse elements of those plans. The department's report shall include an estimate of the potential cost of reclaimed water facilities and identification of potential sources of funding for them.

Provides that, by January 1, 2008, the department of health shall file a brief report with the appropriate committees of the legislature on the general status of: (1)

Development of permit fees for industrial and commercial uses of reclaimed water as required by RCW 90.46.030;

(2) Development of standards and guidelines for greywater use as required by RCW 90.46.140; and

(3) Permitting of greywater use by local health officers and plumbing officials in accordance with standards and guidelines developed pursuant to RCW 90.46.140.

Requires the report to also identify: (1) A general description of the number, type, and location of reclaimed water opportunities included in water supply and coordinated water system plans since 2003, as required by RCW 90.46.140;

(2) The best information currently available regarding potential public health risks associated with reclaimed water, if any, any known occurrences of any public health incidents associated with reclaimed water use, the approaches to reclaimed water-related public health issues taken in other states, and resource needs of the department to evaluate any known public health risks; and

(3) A description of a basic public information and public acceptance program necessary to generate public support for the beneficial use of reclaimed water.

Requires the department of general administration to develop a proposal to provide a comprehensive campus-wide plan for the use of nonpotable water in lieu of the use of potable water for irrigation and related outdoor uses, to serve as a demonstration project for the use of reclaimed water. The department of general administration shall work with the city of Olympia to provide a report to the legislature by December 1, 2007, of the needed infrastructure, cost, and potential funding sources for the project.

VETO MESSAGE ON E2SSB 6117

May 11, 2007

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 4, Engrossed Second Substitute Senate Bill 6117 entitled:

"AN ACT Relating to reclaimed water."

Section 4 of this bill would establish procedures for determining when a water reuse project would impair existing water rights, and would change the standard for mitigating any such impairment. Based on legal advice, I believe this section could have unintended consequences to existing water rights. The remainder of Section 4 of the bill would also create a new

task force to address the state's water reuse program, including water right impairment issues.

I have vetoed Section 4 of Engrossed Second Substitute Senate Bill 6117 because of that portion of it that changes the standard for mitigating impairment of existing water rights.

Section 3 of the bill establishes new requirements for considering reclaimed water during watershed planning and land use decisions, which will eventually need to be harmonized with other statutes in order to ensure effective implementation. I believe this work is still needed and important to accomplish. Accordingly, I am directing the Department of Ecology to work with legislative leadership to address water right impairment from water reuse projects, reclaimed water planning and other issues raised in Sections 3 and 4 of the bill and to provide a report and recommendations to the Governor and appropriate standing committees of the legislature by December 31, 2007.

With the exception of Section 4, Engrossed Second Substitute Senate Bill 6117 is approved.

Respectfully submitted,
Christine O. Gregoire
Governor